

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD
February 19-23, 2001

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
2-20	CANC	28,843	LBJ Pakke, Inc. v. Elenbaas Co., Inc.	Cissel* Seeherman Quinn	2(d)	Petition to Cancel Granted	"DAIRYMAN'S EDGE" [dairy feed additives, namely, a yeast, bacteria and enzyme supplement] <i>and</i> "DAIRYMEN'S EDGE" [livestock feed additives, namely, a bacteria and electrolyte supplement; and silage inoculant]	"ELENBAAS COMPANY THE DAIRYMAN'S EDGE" (and design) [distributorships in the field of bulk animal feeds]			No
2-20	EX	75/606,101	Lanny Bassham	Hanak Chapman* Bucher	2(e)(1) [whether applicant's mark is distinctive of its goods and registrable under Section 2(f)]	Refusal Reversed		"MENTAL MANAGEMENT" [educational services, namely, counseling and conducting classes, seminars, conferences, and workshops in the field of personal performance enhancement in preparation for competition]		Delaney	No
2-22	EX	75/323,980	National Auto Stores	Seeherman* Hohein Chapman	Section 6 disclaimer requirement (of the words AUTO-MOTIVE TECH-NICIANS ALLIANCE)	Refusal Affirmed		"ATA AUTOMOTIVE TECHNICIANS ALLIANCE SERVING THE PROFESSIONAL AUTOMOTIVE REPAIR INDUSTRY" (and design) [training auto parts installers; association services, namely, promoting the interests of automotive parts installers; and distributorship services in the field of automotive parts]		Salemi	No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

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2-22	EX	74/715,526	Gary D. Garbrecht	Cissel* Hanak Holtzman	2(d)	Refusal Affirmed		"FORMULA ONE" [sportswear that promotes the sport of professional power boat racing, namely, pants, t-shirts, golf shirts and jackets, sold only through professional power boat race promoters]	"FORMULA 1" (and a design incorporating "F1") [articles of clothing, namely, tee-shirts, sweat shirts, jackets, pants, headwear, caps, pants, footwear, pajamas, sweatbands and wristbands]	Axilbund	No
2-22	EX	75/527,295	First Security Capital, L.L.C.	Hairston Chapman Wendel*	2(d)	Refusal Affirmed		"FSC" (and design) [financial services, namely, making nontaxable loans secured by stock]	"FSC" (and design) [financial services, namely, financial planning and management, security brokerage services, mutual funds services, insurance services, and employee benefit plans relating to pensions, profit sharing and retirement]	Clark	No
2-22	EX	74/619,936	Alpine Computer Systems, Inc.	Hohein Chapman Drost*	2(d)	Refusal Affirmed		"ALPINE NETWORK INSURANCE" [installation, maintenance and repair services for computer and data transmission systems]	"ALPINE" [computer keyboard terminals, floppy disk drives, mobile computers, office computers, personal computers, computer programs used to create and develop computer software, etc.]	Stine	No

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2-22	EX	75/365,334	Swearingen Software, Inc.	Hanak* Hohein Bucher	2(d)	Refusal Reversed		"RMS" [computer programs for radiology information systems, namely, software for patient management, film tracking, scheduling, transcription, inventory, quality control, standard procedures, equipment maintenance, and personnel management of X-ray departments of small-to-medium-sized healthcare facilities including clinics and hospitals]	"RMS" [computer programs in the form of prerecorded magnetic tape and computer user's manuals sold as a unit]	Borsuk	No
2-22	EX	75/476,534	Innoventor Engineering, Inc.	Simms Chapman Bucher*	2(d)	Refusal Affirmed as to Cl. 42 services and Refusal Reversed as to Cl. 40 services		"INNOVENTOR ENGINEERING" [custom-manufacture of electrical and mechanical equipment for others (in Cl. 40); design and analysis of electrical and mechanical equipment for others (in Cl. 42)]	"INNOVENTION" (and design) [providing product design services for others]	Elsner	No
2-22	CANC	22,732	Sara Lee Corp. v. Goldstone Hosiery Co.	Hanak Quinn* Bucher	2(d)	Opposition Sustained	"L'EGGS" and a "family" of marks incorporating the term "L'EGGS" [hosiery]	"GOLDEN LEGS" [hosiery for men, women and children]			No
2-23	EX	75/526,520	Casucci S.P.A.	Hanak* Hohein Bucher	2(d)	Refusal Affirmed		"CASUCCI WORLD OF JEANS CASUCCI" (and design) [various clothing articles, including shirts, skirts, shorts, t-shirts, and jeans]	"CASUCHI" [various clothing articles, including shirts, skirts, shorts, t-shirts, and jeans]	Engel	No

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2-23	EX	75/600,227	Global Total Office	Chapman* Holtzman Rogers	2(d)	Refusal Affirmed		"ADAPTABILITIES" [office furniture]	"ADAPTABLES" [furniture]	Thompson	No
2-23	EX	75/255,424	Wade Charles Barnett	Seeherman Hanak* Rogers	2(e)(1)	Refusal Reversed		"LENDING SOLUTIONS FOR CREDIT UNION MEMBERS" [financial services, namely, relationship investment banking]		Shanahan	No
2-23	EX	75/566,038	Wheeler Mfg. Co., Inc.	Wendel Bottorff Rogers*	2(e)(1)	Refusal Affirmed		"COPPER-PURE" [jewelry made in whole or in substantial part of copper]		Dawe	No
2-23	EX	75/374,375	Edward Roth	Seeherman* Hanak Wendel	2(d)	Refusal Reversed		"ED 'BIG DADDY' ROTH" (and design) [shirts and caps]	"BIG DADDY'S" (and design) [activewear, namely, tee shirts, shorts, sweat suits, sweat shirts, and hats]	Capshaw	No
2-23	EX	75/479,625	Robert Wienke	Hanak Holtzman Rogers*	2(e)(1)	Refusal Affirmed		"ACCESS GLOBAL" [financial services, namely, insurance brokerage and underwriting, banking, real estate finance, investment brokerage, investment management and financial transactions related thereto, offered electronically and through traditional methods]		Micheli	No

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